

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: KUO, Terry B.J.; YANG, Cheryl C.H.

SERIAL NO.: 10/790,508

ART UNIT: 3762

FILED: March 1, 2004

EXAMINER: Greene, D. D.

TITLE: METHOD AND APPARATUS FOR ANALYZING HEART RATE VARIABILITY

PRACTITIONER'S STATEMENT

Director of the U.S. Patent
and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I, John S. EGBERT, declare and say:

That I am a citizen of United States of America, being above the age of twenty-one;

That I am the U.S. practitioner for the above-identified patent application in the U.S. Patent
and Trademark Office;

That the Office communication of July 25, 2005 was not received;

That the file jacket/application folder has been searched, failing to produce the Office
communication of July 25, 2005; and

That docket records indicate that the Office communication of July 25, 2005 was not
received. The docket records are attached hereto as Exhibit C.

The undersigned declares further that all statement made herein of his own knowledge are
true and that all statements made of information and belief are believed to be true; and further that
these statements were made with the knowledge that willful false statements and the like so made

are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issue thereon:

Further declarant saith not.

12-22-06
Date

John S. Egbert

Customer No. 24196

Attorney for Applicant
Egbert Law Offices
412 Main Street, 7th Floor
Houston, Texas 77002
(713)224-8880
(713)223-4873 (Fax)